

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY**  
**BOARD MEETING MINUTES**  
**March 26, 2012**

A regular meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Office of Occupation and Professions 911 Leawood Drive, Frankfort Kentucky, on March, 2011.

**MEMBERS PRESENT**

Denise Logsdon, LMT  
Laurie Bond Horsford, Secretary  
Holly Barnhill, LMT  
Tom Hansen, LMT  
Katherine Warner, LMT  
Max Maxwell, Citizen-at-Large  
Cheryl Turner, ND, Vice-Chair

**OCCUPATIONS AND PROFESSIONS STAFF**

Carolyn Benedict, Board Administrator

**OTHERS**

Eric Byrd, AMTA-KY Laws and Legislation  
Charlie Watson, Advance Massage

**MEMBERS ABSENT**

None

**OFFICE OF THE ATTORNEY GENERAL**

Michael West, Board Attorney

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**CALL TO ORDER**

Ms. Turner, Vice Chair, called the meeting to order at 10:23 a.m.

**ELECTION OF BOARD OFFICERS FOR 2012**

Ms. Turner opened the floor for nominations of officers. Mr. Maxwell nominated Ms. Turner as Board chair. Ms. Warner nominated Ms. Logsdon as Board chair. Both nominees were asked to step out of the room for the purpose of discussion. Ms. Horsford called for the vote by ballot. Votes were tallied by Mr. West and confirmed by Ms. Benedict. Ms. Turner was elected as Board chair for the 2011-2012 calendar year.

Ms. Warner made a motion that Ms. Logsdon be approved as Vice-Chair by acclamation. It was approved unanimously.

Mr. Maxwell made a motion that Ms. Logsdon serve as Vice-chair/Secretary. Ms. Horsford seconded the motion. The motion carried unanimously.

**COMMITTEE APPOINTMENTS**

Ms. Turner appointed Mr. Maxwell and Ms. Barnhill to serve on the complaint committee. Mr. Maxwell will serve as chair.

Ms. Warner asked for clarification with regard to the application committee. The committee was unclear if their committee was all applications including schools and continuing education. The Board clarified that it did include school and continuing education applications. Ms. Turner appointed Ms. Warner, Mr. Hansen, and Ms. Horsford to serve on the Application & Education Committee.

Ms. Logsdon made a motion to approve the committees as appointed. Ms. Horsford seconded the motion. The motion carried unanimously.

Mr. Watson asked if the Board would accept a certificate of good standing renewal application with a letter stating that nothing had changed? Or did he need to resubmit everything? Mr. West recommended the Board

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consider changing the form to give that option. The Board took his recommendation into consideration but stated that for the current year Mr. Watson would need to submit all documentation.

Ms. Warner also requested that all school files be brought to April meeting so they could be reviewed. The Board will gather date for further review, discussion and possible regulation revisions.

Mr. Watson also expressed concerns with regard to the minutes being posted to the website in an efficient amount of time. He also asked why continuing education hours couldn't be used to fill the void for hours needed to meet current requirements for licensing. The Board informed Mr. Watson that they were definitive in their December statement that continuing education hours could not be used to fill the gap. They stated they might revisit the matter in the future but for now, their decision would stand.

### **MINUTES**

February 27, 2012 minutes were reviewed. A motion was made by Ms. Barnhill to approve the minutes with amendments. Motion was seconded by Mr. Hansen. The motion carried unanimously.

### **FINANCIAL STATEMENT**

The financial statement was reviewed. Ms. Logsdon made a motion the statement be approved as submitted. Ms. Barnhill seconded the motion. The motion carried.

### **LICENSURE STATUS REPORT**

The licensure status report was reviewed. Ms. Warner made a motion to accept the report. Ms. Horsford seconded the motion. The motion carried.

### **REPORT FROM O&P**

No report from O&P was given. However, the Board took the opportunity to express their appreciation to Ms. Benedict stating that the response time from the office and process appeared to be much improved.

### **ATTORNEY REPORT**

Mr. West reported that he had sent a letter to Attorney Tim White with regard to the ongoing licensing matters of his client Jennifer Barnes. It was also reported that he had filed exceptions with regard to the proposed final order in the Dmitry Greenburg case. Opposing counsel now has an opportunity to file a response to the exceptions. Mr. West informed the Board that they currently had two applications on appeal that had previously been preliminarily denied.

### **OLD BUSINESS**

Ms. Warner stated that she would send the Power Point presentations regarding licensure and renewal to all Board members for them to review. If no comments were received within 5 days they would automatically be added to the Board's website.

Mr. West agreed that he would send correspondence to the Paducah Police department informing them that Theresa Chrisler was no longer on the Board and to contact him with regard to additional information related to unlicensed massage therapists practicing at Kentucky Oaks Mall.

Ms. Benedict was asked to put the Board Member Handbook on the agenda for discussion at the April meeting. All members were asked to bring the copies of the handbook already distributed to save paper.

Ms. Warner agreed to continue working on the FAQs and asked that they be on the agenda for further discussion in April.

Dates for the Board retreat were set for July 27-28, 2012. The application committee will meet on July 26<sup>th</sup>. The retreat will be held in Frankfort at the Office of Occupations and Professions.

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The MOA between the KBLMT and Physical Therapy Board becomes effective on April 1, 2012.

### **NEW BUSINESS**

Email correspondence from Dawn Szacks was reviewed. Ms. Szacks stated that she was conducting a research project within her organization in order to establish the scope of practice for massage therapists in each state; more specifically if low level laser therapy was including within said scope. Ms. Benedict was asked to reply to Ms. Szacks informing her that it was not part of the scope of practice in Kentucky.

Email correspondence from Holly Sowder was reviewed. Ms. Sowder is a licensed Massage Therapist in Kentucky. She was asking if the scope of practice in the law included body wraps and facials. Ms. Benedict was asked to reply to Ms. Sowder's email informing her that as long it was for relaxation and circulation of the skin and not for treating the skin.

Information from Federation of State Massage Therapy Boards was distributed for review. It was with regard to a project to develop a new national program to provide state regulatory agencies with a centralized quality assurance process for the renewal of State licensure or State Certification. Following discussion Mr. Hansen made a motion to send a representative to the next meeting to discuss the Board's concern over the proposals recommended by the task force and to also send a letter expressing their concerns. The meeting will be held September 27, 29, 2011 in New Orleans. Ms. Logsdon seconded the motion. The motion passed unanimously. Ms. Logsdon agreed to write the letter and to circulate it to other Board members for their input.

### **COMPLAINT COMMITTEE REPORT**

The Complaint Committee made the following recommendations:

2011-05 – Cease and Desist letter pending. Ongoing.  
2011-12 – Board to file exceptions to the recommended final order.  
2012-01 – Send to investigator  
2012-02 – Send to investigator  
2012-03 – File civil complaint for unlicensed practice  
2012-04 – Send to investigator  
2012-05 – Ongoing  
2012-06 – Board to file formal administrative charges for not keeping current address on file

Ms. Logsdon made a motion to accept the recommendations of the committee. Ms. Horsford seconded the motion. The motion carried unanimously.

### **APPLICATION COMMITTEE REPORT**

The Applications Committee met on February 21, 2012 at 10:00 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky.

#### **Initial Applications (29)**

**Approved (26):** *Jill Adcock, Tami Adkins, Heidi Brooks, Lucy Brown, Whitney Buehler, Michelle Carnes, Amy Dunzweiler, Jordan Fields, Shayne Fisher, Brandy Godbolt, Candice Hampton, Christopher Johnston, Jacob Kilbride, Wanbin Lin, Beverly Matthews, Emily McDermott, Kaitlyn McHale, Leigh Reynolds, LaShauna Riley, Marcus Sanders, Lindsey Sewell, Timothy Testerman, Michelle Thomas, Kayce Tomlinson, Brittany Wren*

**Approved Pending (1):** *Julie Botner*

**Deferred (3):** *Melinda Laney, Lynn Malear, Susan Unes*

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### **Endorsements**

**Approved (6):** *Whitney Alston-Burney, Candice Guarino, Amanda Kiley, Yoon H. Kim, Yvette Narog, Elissa Rask*

**Deferred (1):** *Beth Thorpe*

### **Renewals**

**Approved (37):** *Michael L. Abbott, Corwyn A. Blackwell, Felecia Breeding, Nancy Brown, Margaret Bubenhofer, Matthew Caines, Sara M. Carter, Jamie Wright, Lisa Chesser, George S. Collins, Melodi Cornett, Tiffany Couch, Andrea Davis, Peg Fields, Deborah Fox, Tronda Graham, Sharon Hansford, Sarah Hart, Pharann Hoffman, Kara Keith, Stacey Klinglesmith, Miranda Lay, Sandra Myers, Jessica Parrish, Naydu Osorio, Maritza Perez, Julie Phillips, Debora Rivera, Joseph Smith, Robert Stauter, Jean Tucker, Mary Alice Walter, Emmy Jo Walton, Krystal Williamson, Jenna Ziegler, Tina Ozment, Maureen McCormick*

**Approved pending (3):** *Karen DiGirolamo, Maranda Durall, Baojian Xiang*

**Deferred (2):** *Treva Rogers, Keary Snapp*

### **Appeals**

Mr. West reported that two applications for preliminary determination of denial were currently on appeal

Ms. Logsdon moved to accept the report from the applications Committee. The motion, seconded by Ms. Barnhill, carried unanimously.

### **TRAVEL AND PER DIEM**

Ms. Maxwell made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Ms. Horsford, carried unanimously.

### **ADJOURN**

With no further business to be brought before the Board Mr. Maxwell made a motion that the meeting be adjourned at 1:10 p.m. on Monday, March 26, 2012. The motion, seconded by Ms. Horsford, carried unanimously.

Prepared by Carolyn Benedict

Approved 04/30/2012